

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	: CRIMINAL NO. 1:06-CR-199
	:	
v.	:	: (Judge Conner)
	:	
PETER DIAZ (14),	:	
	:	
Defendant	:	

ORDER

AND NOW, this 13th day of August, 2020, upon consideration of the motion (Doc. 1932) for relief under Federal Rule of Civil Procedure 60(b) filed by defendant Peter Diaz, and for the reasons set forth in the accompanying memorandum of today's date, it is hereby ORDERED that:

1. Diaz's motion (Doc. 1932) for Rule 60(b) relief—which is actually a second or successive motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255—is DISMISSED without prejudice to his right to petition the United States Court of Appeals for the Third Circuit for permission to file a second or successive motion under Section 2255. See 28 U.S.C. § 2255 Rule 4(b), 9.
2. The court finds no basis to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); 28 U.S.C. § 2255 Rule 11(a).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania